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UNCLAS HANOI 000956

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SUBJECT: DEPUTY AG MINISTERS GET OFF ON APPEAL

REF: 03 HANOI 3156

1. (U) Summary. The suspension of jail sentences of two former deputy Ministers of Agriculture and Rural Development (MARD) by the Hanoi Court of Appeals on April 5 will undermine public credibility in the GVN's determination to stem official corruption, even though the Court upheld the death sentence of the principal defendant, who ran a MARD corporate subsidiary. End Summary.

2. (U) According to media reports, the Hanoi Court of Appeals on April 5 announced that it would uphold the death sentence of La Thi Kim Oanh, who had been convicted in December (reftel) for embezzling several million US dollars worth of Vietnamese dong by getting MARD guarantees for bank loans, which were then "misappropriated." Three other lengthy sentences against employees of the MARD subsidiary were also upheld, as was a lesser sentence against a MARD department director. Ms. Oanh may still appeal to President Tran Duc Luong for clemency.

3. (U) The Court, however, suspended the sentences of the two MARD deputy ministers -- Nguyen Quang Ha and Nguyen Thien Luan -- who had been convicted in the case, charged with dereliction of duty in having signed the guarantees improperly. Instead, they will be on probation for four and three years, respectively. Minister of Agriculture Le Huy Ngo testified on their behalf at the appeal hearing, but not at the original trial.

4. (U) Comment: This trial and appeal received extensive coverage in the local media, apparently to help convince the public of the GVN's determination to move aggressively against corruption and embezzlement even in official or semi-official ranks. Despite the harshness of the sentence against Ms. Oanh, the whitewashing of the convictions of the two deputy ministers will undermine the credibility of the GVN's anti-corruption campaign, which has so far little seized public imagination or confidence. Skepticism, at least among urban elites, remains high that the GVN or CPV would ever target senior officials for genuine punishment. BURGHARDT